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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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|-----------------|-------------|----------------------|---------------------|------------------|

10/574,994

01/31/2007

Betty A. Diamond

96700/1120

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06/03/2009

AMSTER, ROTHSTEIN & EBENSTEIN LLP  
90 PARK AVENUE  
NEW YORK, NY 10016

EXAMINER

NIEBAUER, RONALD T

ART UNIT

PAPER NUMBER

1654

MAIL DATE

DELIVERY MODE

06/03/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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|---------------------------------|-------------|---------------------------------------------------|---------------------|
| 10574994                        | 1/31/2007   | DIAMOND ET AL.                                    | 96700/1120          |

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90 PARK AVENUE  
NEW YORK, NY 10016

**EXAMINER**

RONALD T. NIEBAUER

| ART UNIT | PAPER |
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1654

20090527A

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**Commissioner for Patents**

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 (see attached notice to comply). On 12/5/08 applicants submitted a sequence listing with one sequence - a five amino acid peptide. However, the specification includes an 8 amino acid peptide encompassed by the sequence rules as well (i.e. MAPDWEYS on page 8 line 1 and figure 1). However, no computer readable form or paper copy of the sequence MAPDWEYS has been provided. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132. **APPLICANT IS GIVEN 1 MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825.** Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response. The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following: 1. Electronically submitted through EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE) 2. Mailed to: Mail Stop Sequence Commissioner for Patents P.O. Box 22313 1450 Alexandria, VA 22313 14503. Hand Carry, Federal Express, United Parcel Service or other delivery service to: U.S. Patent and Trademark Office Mail Stop Sequence Customer Window Randolph Building 401 Dulaney Street Alexandria, VA 22314. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald T. Niebauer whose telephone number is 571-270-3059. The examiner can normally be reached on Monday-Thursday, 7:30am-5:00pm, alt. Friday, EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Cecilia Tsang/  
Supervisory Patent Examiner, Art Unit 1654